

## Joe Urban

---

**From:** "Charles J Costello" <chanoew@peoplepc.com>  
**To:** "Lindsay Trittipoe" <LT@natlust.org>  
**Cc:** "Joe Urban" <urbanj@netsecuritypro.com>; "Barb Dietz" <riverb@Kaballero.com>; "Samuel Marshall" <swmiii@yahoo.com>; "Marilyn DonCarlos" <rehedges@kaballero.com>  
**Sent:** Friday, October 07, 2005 5:02 PM  
**Subject:** Re: PSA

Lindsay,

Thank you for your excellent info. It demonstrates your high quality abilities. We are pleased to have you with us.

The White Stone Town Council last evening tabled the PSA agreement until their next meeting. Same issues, however, there is no doubt that the mayor is all for it.

We will be posting your emails to the website so all may benefit from them.

Regards

Charlie

----- Original Message -----

**From:** [Lindsay Trittipoe](#)  
**To:** [Charles J Costello](#)  
**Cc:** [Joe Urban](#) ; [Barb Dietz](#) ; [Samuel Marshall](#) ; [Marilyn DonCarlos](#)  
**Sent:** Thursday, October 06, 2005 14:06  
**Subject:** Re: PSA

Charlie,

I've filled out the application and will mail it to you today with my check. I don't object to you forwarding my earlier email or this one. I'll try to find time to write a piece for the Record.

Today I've started my journey of learning about the environmental impact of leaking septic tank systems, and what roles VA Health and VA DEQ play in permitting, inspecting and monitoring private and public sewer treatment systems.

- Butch Jenkins has given me some leads on various studies that support the view that leaking tanks materially contribute to Bay pollution. I'm curious to read the studies as they VA Health and VA DEQ tell me they cannot substantiate this assertion the assertion that the extent of the pollution is "material".
- I think we need to determine what Virginia's Code says about condemnation powers. I'm under the impression that unincorporated towns do not have condemnation powers, but that if the PSA is done through a county, it would by default have such powers. honestly, I don't know the facts but this could be one reason why they are trying to rope the County into the PSA.
- I met with a VA DEQ water quality person last night, and today I spent an hour with [Don Alexander](#) of VA Health. Don is in charge of permitting various types of sewer systems, including those that discharge into state waters and the newer decentralized systems that are publicly or privately managed.

Some points based on my meetings/conversations:

- contrary to the views expressed by certain people there is no move by the state and/or EPA to restrict new septic systems.
  - The assertion of a prospective ban is a fiction. Both people I talked to say septic tanks are not going away (but it may make sense in certain circumstances to have systems inspected on a regular basis).

- If anything, VA Health may rewrite some of its regs to simplify the present 3 tier classification
- "Decentralized systems", a term that apparently encompasses a range of technologies, will likely grow in the future at the expense of the behemoth traditional municipal sewer systems.
  - I'm not sure I got the full list but includes mound systems, peat moss systems, various other filtration techniques. Alexander opines that these are generally superior to mass drainfields (traditional septic).
  - The management of these systems would be done by either the locality, either directly or more likely by contracting the service out.
  - Depending on the facts and circumstances of a particular application, such decentralized systems may be less expensive than traditional gov't run septic systems. The systems can be done on an individual basis, or as Alexander opined, it may make more sense for localities to think about putting in larger engineered systems. Onancock over on the eastern shore is apparently considering an engineered decentralized system once they found out the estimate for a traditional municipal system was \$26 million.
  - Certain of the technologies, which put the water back into the ground, may be deemed preferable.
  - VA Health will be putting on a symposium March 6-8 2006 at the Koger Center here in Richmond to display and talk about these various decentralized systems.
- Large municipal treatment systems that dump directly into our waterways are not without their issues, so shouldn't be regarded as a panacea.
  - Virginia Beach has had something like 400 notices of violations in recent years. I suspect there are other examples that could be documented. This gets back to my argument that why would we allow a gov't that can't deliver ice to Katrina victims the opportunity to screw up our waters (and tax the hell out of us along the way).
  - Many existing treatment plants, through older designs or incompetent management, end up releasing far too much [nitrogen and phosphorus](#).
  - The chlorination process, if properly applied, will kill the fecal coliform but does nothing about viruses, which apparently infect shellfish.
  - Confirmed the issue of dumping massive amounts of treated effluent into the headwaters of creeks. Yes, its treated but would effectively ruin the creek for traditional uses.
  - If they are successful in pushing through the PSA, I'm told that they'll try for a permit to accommodate all their future needs (i.e., 1 million gallons/day or more)
- To no surprise, the people I spoke to confirmed that leaking septic systems likely contribute to untreated effluent getting into our waters, but the extent of the problem hasn't been quantified.
  - I'm advised whether or not a system leaks depends on a range of factors, including its use, the topography and geologic makeup of the soil (types and quantity of sand, proximity to water table, types of sands, clay lenses, etc). Some of the leaking systems are in older homes where the soil would not meet today's more stringent standards. A treatment technology that would work well in one application may not in another.
  - For example, I was told that low lying marshy areas (i.e., eastern shore, possibly Windmill point road) where the water table is high are much more conducive to the effluent subsuming out of traditional drainfields). this makes common sense to me.
  - The two people that I spoke to tell me that there are not good numbers as to the volume of pollution caused by leaking septic systems.
    - For example, VA DEQ can sample Greenvale Creek, determine the extent of the contamination and write a report about it. But they can't tell us how many houses on the creek have failed systems. Aside from the Division of Shellfish Sanitation "walking the shoreline" I'm not clear about what actions, if any, the state regulators are doing to (a) determine the source and (b) correct it.
    - Anyway, my view is that without factual data, it is a gratuitous assertion for any political leader to claim that failed systems materially contribute to Bay pollution (maybe I'll come across data and/or facts to change this view but I haven't yet)

Lindsay

----- Original Message -----

**From:** [Charles J Costello](#)  
**To:** [Lindsay Trittipoe](#)  
**Cc:** [Joe Urban](#) ; [Barb Dietz](#) ; [Samuel Marshall](#) ; [Marilyn DonCarlos](#)  
**Sent:** Thursday, October 06, 2005 11:53 AM  
**Subject:** Re: PSA

Lindsay,

Thanks for your reply. You certainly have a great deal of experience in this arena. May we distribute your email to the FOLC membership? Would you join us? Our website is [www.folcva.org](http://www.folcva.org). It contains our principles and membership form. We are asking for individual memberships.

An immediate thing you could do is write a letter to the editor of the Rapp Record ([editor@record.com](mailto:editor@record.com)). Letters receive wide spread reading and have a lot of influence with the public. Also emailing the superisors ([www.lancova.com](http://www.lancova.com)) would be a big assist.

We meet the second Wednesday of each month at the Lancaster Library at 7 p.m. This month we hope to have Beth Baldwin from CBLAD and maybe Lynton Land from NAPS speak to us. Maybe you could say a few words to us on need to oppose PSA.

Charlie

----- Original Message -----

**From:** [Lindsay Trittipoe](#)  
**To:** [Charles J Costello](#)  
**Cc:** [Joe Urban](#) ; [Barb Dietz](#)  
**Sent:** Wednesday, October 05, 2005 09:53  
**Subject:** Re: PSA

Charlie,

Thanks for the reply. And I appreciate the actions you are taking to stop the PSA.

No, NatLUST definitely isn't a porno site. In 1998, in response to the insolvency of Virginia's own LUST fund in 1998, Debra and I started providing private financing to Virginia's environmental consultants, thinking this was a worthwhile cause that would help protect our groundwater. By 2001, VA's DEQ asked me to help come up with a lower cost solution, so I shut down my own lending business to help create the [Virginia Resources Authority Accelerated Claim Payment Program](#). Gov Warner [announced it](#) in May 2002 and it won a national [award](#). With NatLUST, we are essentially expanding this to a nationwide environmental financing program. Connecticut's Governor just signed a bill to, among other things, authorize NatLUST. Eventually, I'll likely move the business to Lancaster, perhaps after high speed wireless internet is available and my kids are out of school.

My background is in capital markets with Morgan Stanley and Wheat First Securities. I spent many years spent in municipal finance where I was involved in the underwriting, sales, and secondary trading of the bonds for, among others, Fairfax County W/S; Upper Occoquan W/S; Prince William W/S, Southeastern Public Service Authority; and yes, even Kilmarnock's original bond deal for its plant years ago. My view is that W/S plants are necessary in certain urban circumstances, but should be avoided when other, less expensive technologies exist.

My view is that it would be nuts for Lancaster to get involved in this. Its like using a howitzer when a fly swatter would do. And its clear that special interests --the Tides, RWC and real estate developers are behind this move to start the PSA . To sell \$14 million of bonds to build the plant (no doubt just the 1st phase), my guess is that Lancaster County will be required to pledge its "moral obligation" to pay the debt service (i.e., to be included in a VRA bond deal). I'm not certain if Irvington or Whitestone could swing this on their own but will inquire with VRA.

From an environmental standpoint, the idea ever increasing amounts of treated sewerage into, say, the Eastern Branch, is of substantial concern to me. We can't even rely on the government to deliver ice to Katrina victims, so why should we allow them the opportunity to permanently ruin our waters by operating an ever expanding sewerage treatment system ?

On a related note, I am personally skeptical about the expressed views of our supervisors that (a) leaking septic systems are materially contributing to Bay pollution (no doubt they cause some pollution, but how does one measure it?); and (b) the notion that the EPA and/or state will eventually move to bank new septic tank installations in coastal areas. But since I'm not clear on the facts, I've already initiated a call to VA DEQ and have a list of names to talk to.

Hopefully, you can get the resolution on the ballot for the Nov elections. Best to kill this beast now. Kindly let me know how I can help. I'm very interested in this.

Best

Lindsay Trittipoe

----- Original Message -----

**From:** [Charles J Costello](#)  
**To:** [Lindsay Trittipoe](#)  
**Cc:** [Joe Urban](#) ; [Barb Dietz](#)  
**Sent:** Wednesday, October 05, 2005 9:04 AM  
**Subject:** PSA

Mr Trittipoe,

Thank you for your card on last Thursday evening. I have briefly looked at the website [www.natlust.org](http://www.natlust.org) . There is a lot there. I hope you could help us here in Lancaster County.( I wasn't too sure about "national lust".)

Charlie Costello